

Entry 2008005771
Book 1095 Page 28 ³⁶ \$0.00
12-JUN-08 09:15
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
GOVERNOR OF THE STATE OF UTAH
STATE CAPITOL COMPLEX E220 PO BOX 14220
Rec By: HEATHER HOLMES , DEPUTY

**Supplement to Amended Acknowledgment and
Amended Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Entry 2008005771
Book 1095 Page 28


This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Uintah County known as Bitter Creek Cutoff Road; County Road Number: 4140; State Geographic Information Database (SGID) Road Identification Number: RD240545.

This document supplements and supports the information contained in the document first recorded at **Ent 2006012464, Bk 1006, Beg Pg 882**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **12/27/2007** at **Ent 2007014360, Bk 1038, Beg Pg 910**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 6th day of June, 2008.

By the Governor's Designee



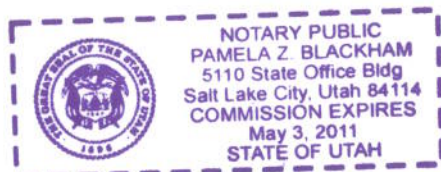
John Harja

CERTIFICATION

State of Utah)
: ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 6th day of June, 2008.





Notary Public

Exhibit A

AFFIDAVIT OF ARDEN W. STEWART

BITTER CREEK CUT OFF ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4140

State of Utah)
 : ss.
County of Uintah)

ARDEN W. STEWART, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Uintah County, Utah and have done so for 74 years.
2. I have traveled and am familiar with a road in Uintah County known as the Bitter Creek Cut Off road. I am also familiar with the land the road traverses. When I first used and observed the road in 1948, it followed the same route as in 2006, when I last observed it. Attached is a Uintah County map showing Bitter Creek Cut Off Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County identifies this road according to the road number described above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1948 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including pickups, cars and wagons. During this period the road has been used daily.

5. During the time period from 1948 to 2006, I have used the road myself for livestock operations, hunting, recreation such as camping and picnicking and traveling in and through the area.

6. During the time period from 1948 to 2006, I observed vehicles using the road at various times for the uses described in the previous paragraph plus oil and gas exploration or development, farming, fishing, government access and predator control.

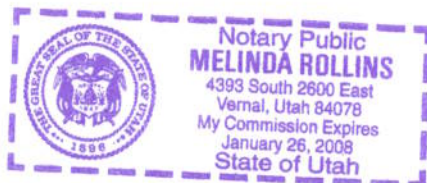
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1948 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I have personally observed the road being graded.

DATED this 17 day of October, 2006.


ARDEN W. STEWART

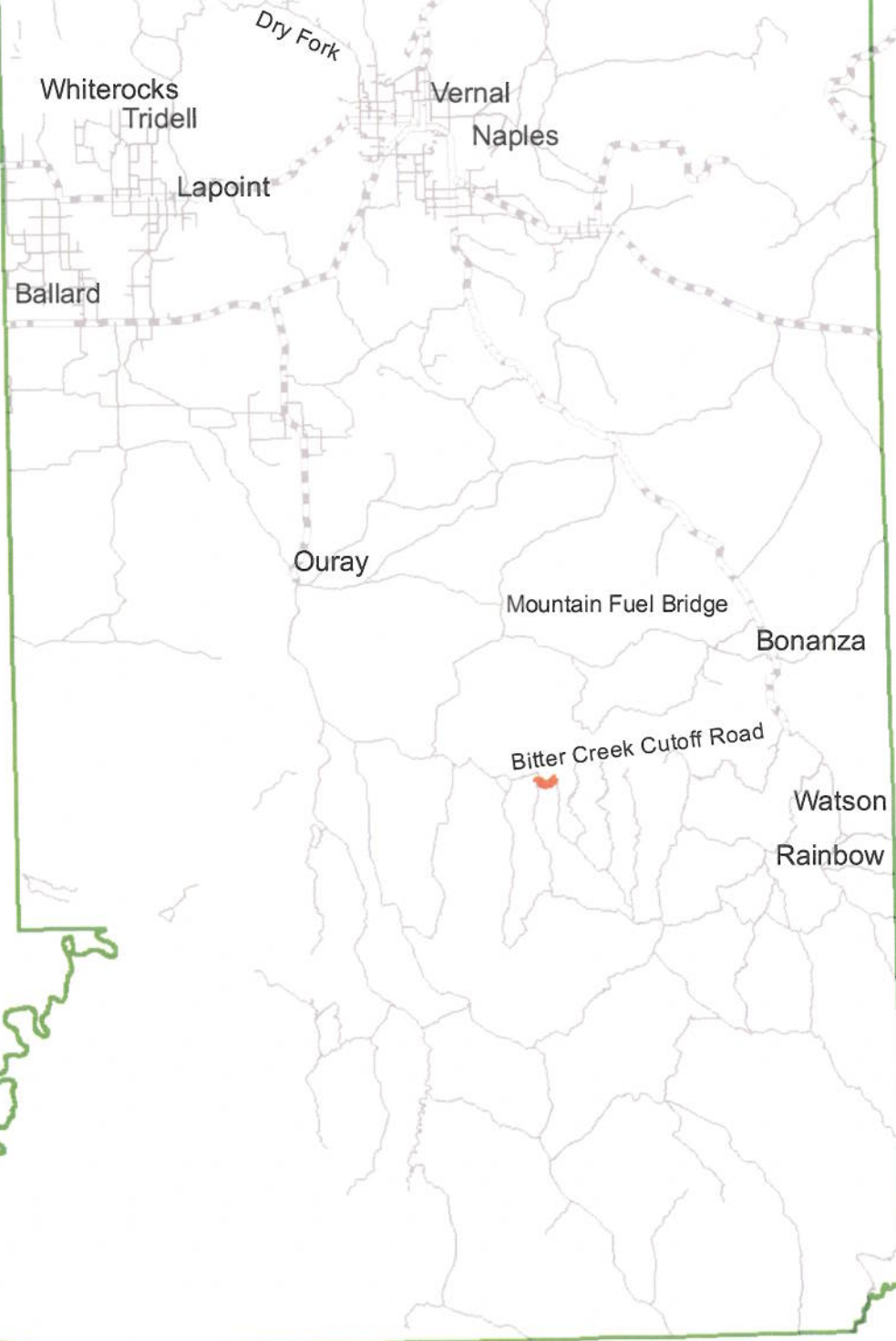
SUBSCRIBED AND SWORN TO before me this 17 day of October, 2006.




Notary Public

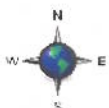
UINTAH COUNTY

Bitter Creek Cutoff Road
Road # 4140
RD240545



Legend

-  Bitter Creek Cutoff Road
- Roads**
-  Class B Roads
-  Federal or State
-  Uintah County



BITTER CREEK CUT OFF ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4140

State of Utah)
 : ss
County of Uintah)

J. CHARLES BREWER, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Uintah County, Utah. I have lived in Uintah County for 64 years.

2. I have traveled and am familiar with a road in Uintah County known as the Bitter Creek Cut Off Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1953, it followed the same route as in January of 2006, when I last observed it. Attached is a Uintah County map showing Bitter Creek Cut Off Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County identifies this road according to the road number described above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1953 and continuing through 1976 to January of 2006. During this time period I have observed travel on the road by various means, including pickups and oil field trucks. During this time period, the road has been used daily.

5. During the time period from 1953 to January of 2006, I have used the road myself for access to an oil location.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for oil and gas exploration or development and livestock operations.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early 1953 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally maintained the road with a grader and cat.

Dated this 16 day of October, 2006.


J. CHARLES BREWER

SUBSCRIBED AND SWORN TO before me this 16 day of October, 2006.



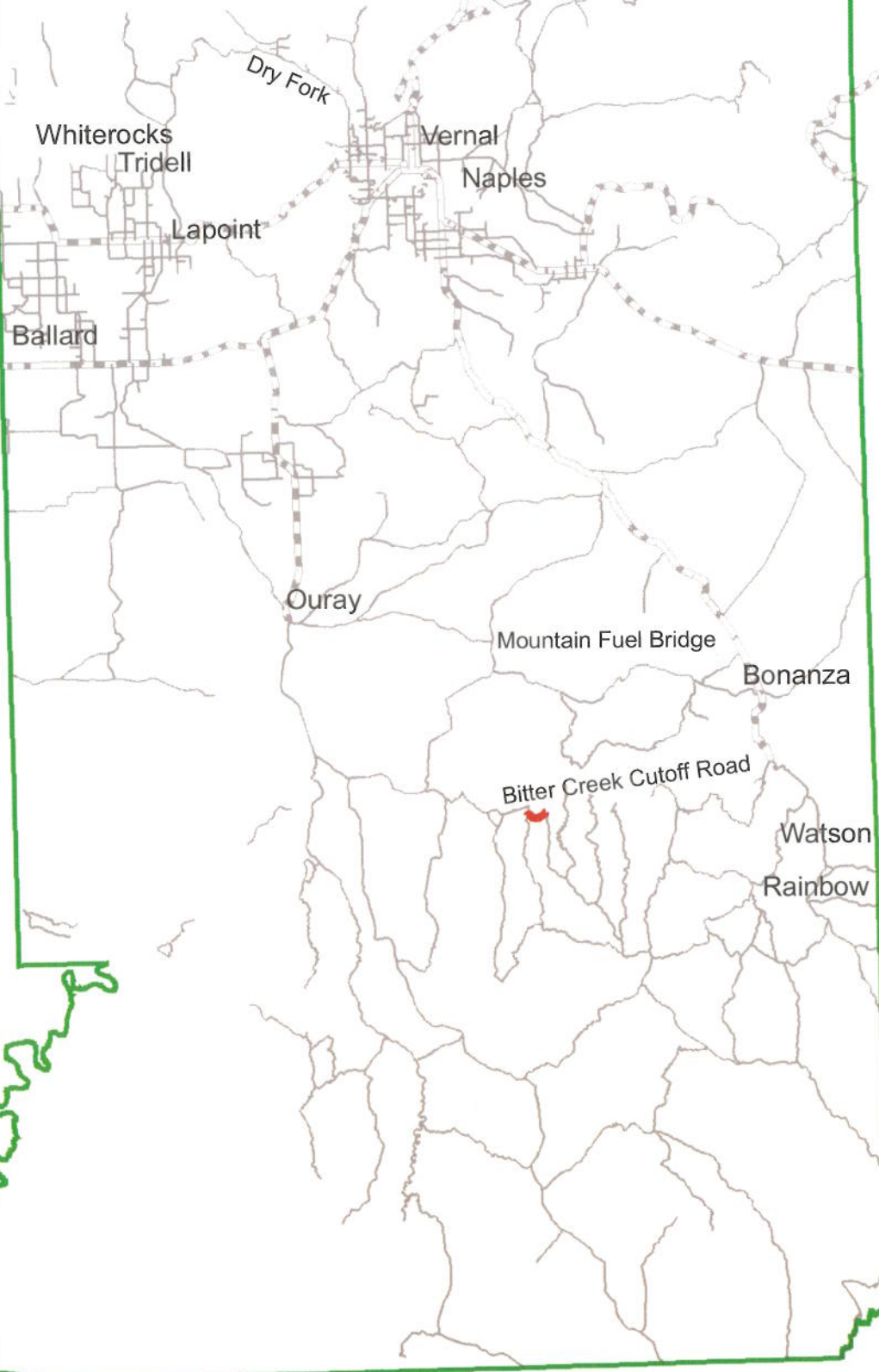

Notary Public

UINTAH COUNTY

Entry 2008005771
Book 1095 Page 35



Bitter Creek Cutoff Road
Road # 4140
RD240545



Legend

Bitter Creek Cutoff Road

Roads

Class B Roads

Federal or State

Uintah County



Uintah County



Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Bitter Creek Cutoff Road

County: Uintah

County Road Number: 4140

State Geographic Information Database (SGID) Road Identification Number: RD240545.

Total Road Length: 1.47 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 55 minutes 07.41 seconds North Latitude and -109 degrees 25 minutes 32.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,222,119.1 feet and Y = 7,145,865.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 55 minutes 15.33 seconds North Latitude and -109 degrees 24 minutes 20.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,227,754.9 feet and Y = 7,146,797.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 22 East, Section(s) 26,27, Salt Lake Base & Meridian